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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/978,412	10/15/2001	Nick Ramirez	10559-624001/P12876	4497
8791	7590	09/28/2005	EXAMINER	
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030			WILSON, ROBERT W	
			ART UNIT	PAPER NUMBER
			2661	

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/978,412

Applicant(s)

RAMIREZ, NICK

Examiner

Robert W. Wilson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

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***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-9, 11-20, 22 (dependent), 25, & 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thornton (U.S. Patent No.; 6,363,065)

Referring to claim 1, Thornton teaches: 200 or apparatus per Figs 1-2 receives the data from 273 per Fig 2. The G.711 data is compressed in accordance with G.273 and converted into packets per col.13 line 35-col. 14 line 67. 225 & 240 per Fig 2 receive the data packets and add the appropriate IP address or network addressing information per col.13 line 35-col. 14 line 67. The packets have an IP address and are directed to the network via 225 per Fig 2 or output.

Thornton does not expressly call for: a DSP or packet engine

Thornton teaches: data is compressed and converted into packets or the DSP function as well as packets are directed to the network based upon network addressing information.

It would have been obvious to one of ordinary skill in the art at the time of the invention the DSP function is performed because the reference teaches compressing and converting packets and that the packet engine function is performed because the reference teaches that packets are directed to the network based upon network addressing information.

In Addition Thornton teaches:

Regarding claim 2, 278 per Fig 2 or network interface regulates the flow.

Regarding claim 3, data into 200 per Fig 1 is voice data which is being converted to VoIP data. col. 13 line 35-col. 14 line 67.

Regarding claim 4, 200 per Fig 1 receives the telephone number and translated to the appropriate IP address. 200 per Fig 1 is the media gateway inherently opens a socket or channel using IP network addressing information col. 13 lines 48-67.

Regarding claim 5, packet assigned an appropriate IP address per col.13 line 35-col. 14 line 67

Regarding claim 6, 30 per Fig 1 is a DATA (Packet) Network carry IP data per col.13 line 35-col. 14 line 67 or Internet data.

Regarding claim 7, packet assigned an appropriate IP address which inherently directs the packets to the IP address on the Internet per col.13 line 35-col. 14 line 67 .

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Regarding claim 8, the architecture shown in Fig 2 is distributed architecture. It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the network processor in multiple packet engines which is a distributed architecture is order for the Gateway in Figure 1 to scale.

Regarding claim 9, 268 receives T1 and 270 outputs E1 per Fig 2.

Regarding claim 11, 200 per Figs 1-2 processes H.323 or video streaming data per col. 9 line8-col. 16 line 46.

Referring to claim 12, Thornton teaches: 200 which performs the method per Figs 1-2. 200 per Fig 2 receives the data from 273 per Fig 2. The G.711 data is compressed in accordance with G.273 and converted into packets which correspond to the compressed data per col.13 line 35-col. 14 line 67. 225 & 240 per Fig 2 receive the data packets and add the appropriate IP address or network addressing information per col.13 line 35-col. 14 line 67. The packets have an IP address and are directed to the network via 225 per Fig 2.

Thornton does not expressly call for: a DSP or packet engine

Thornton teaches: data is compressed and converted into packets or the DSP function as well as packets are directed to the network based upon network addressing information.

It would have been obvious to one of ordinary skill in the art at the time of the invention the DSP function is performed because the reference teaches compressing and converting packets and that the packet engine function is performed because the reference teaches that packets are directed to the network based upon network addressing information.

In Addition Thornton teaches:

Regarding claim 13, 278 per Fig 2 or network interface regulates the flow.

Regarding claim 14, data into 200 per Fig 1 is voice data which is being converted to VoIP data. col. 13 line 35-col. 14 line 67.

Regarding claim 15, 200 per Fig 1 receives the telephone number, translated to the appropriate IP address, and provides the IP address. 200 per Fig 1 is the media gateway inherently opens a socket or channel using IP network addressing information col. 13 lines 48-67.

Regarding claim 16, packet assigned an appropriate IP address per col.13 line 35-col. 14 line 67

Regarding claim 17, 30 per Fig 1 is a DATA (Packet) Network carry IP data per col.13 line 35-col. 14 line 67 or Internet data.

Regarding claim 18, packet assigned an appropriate IP address which inherently directs the packets to the IP address on the Internet per col.13 line 35-col. 14 line 67 .

Regarding claim 19, the architecture shown in Fig 2 is distributed architecture. It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the network processor in multiple packet engines which is a distributed architecture is order for the Gateway in Figure 1 to scale.

Regarding claim 20, 268 receives T1 and 270 outputs E1 per Fig 2.

Regarding claim 22, 200 per Figs 1-2 processes H.323 or video streaming data per col. 9 line8-col. 16 line 46.

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Referring to claim 25, Thornton teaches: 200 or apparatus per Figs 1-2.

225 & 240 per Fig 2 receives the IP address and opens an inherent IP socket or channel over the network using the IP address.

240 & 225 per Fig 2 receives data which is H.323 which inherently has streaming video.

Compresses the data and generates data packets

225 & 240 per Fig 2 receives the appropriate IP address and adds the address to the data packets and then directs the packets over the network per col.13 line 35-col. 14 line 67.

Thornton does not expressly call for: interface device, digital signal processor, or network processor

Thornton teaches: Receiving the telephone number and translates the telephone number into an appropriate IP address as well as an inherent IP socket is opened or channel and the packet is sent to the network or function of the interface device. Receiving G.711 data which is voice and then generates packets which corresponds to the data packets or the function of the digital signal processor. Receiving the appropriate IP address and adding the address to the data packets and then directs the packets over the network per col.13 line 35-col. 14 line 67 or the function of the network processor.

It would have been obvious to one of ordinary skill in the art at the time of the invention the interface device function is performed because the reference teaches receiving the telephone number and translates the telephone number into an appropriate IP address as well as an inherent IP socket is opened or channel and the packet is sent to the network or function of the interface device. The DSP function is performed because the reference teaches compressing and converting packets and that the network processor function is performed because the reference teaches that packets are directed to the network based upon network addressing information.

In Addition Thornton teaches:

Regarding claim 27, 278 per Fig 2 or network interface regulates the flow.

Referring to claim 28, Thornton teaches: 200 or article per Figs 1-2.

240 & 225 per Fig 2 receives data and compresses the data

240 & 225 per Fig 2 generates data packets that correspond to G.273 compressed data

225 & 240 per Fig 2 send the data packets back to themselves in order to add the address to the data packets and then directs the packets over the network per col.13 line 35-col. 14 line 67.

Thornton does not expressly call for: network processor or packet engine.

Thornton teaches: that network processor and packet engine functions are performed in 225 & 240 per Fig 2.

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It is within the level of one skilled in the art at the time of the invention to adjust parameters or to name the functions performed by the 240 & 225 to as the network processor and packet engine. It is within the level of one skilled in the art at the time of the invention to implement the limitations above computer instructions. It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the instructions on a computer readable medium so that they are executable on a processor.

In Addition Thornton teaches:

Regarding claim 29, data into 200 per Fig 1 is voice data which is being converted to VoIP data. col. 13 line 35-col. 14 line 67.

Regarding claim 30, 268 receives T1 and 270 outputs E1 per Fig 2.

3. Claims 22 (Independent), 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thorton (U.S. Patent No.: 6,363,065) further in view of Irie et. al. (U.S. Patent No.: 4,574,383)

Referring to claim 22, Thorton teaches: 200 or apparatus per Figs 1-2. 225 & 240 per Fig 2 receives the telephone number and translates the telephone number into an appropriate IP address. An inherent IP socket is opened or channel and the packet is sent to the network.

240 & 225 per Fig 2 receives G.711 data or voice and then generates packets which corresponds to the data packets.

225 & 240 per Fig 2 receives the appropriate IP address and adds the address to the data packets and then directs the packets over the network per col.13 line 35-col. 14 line 67.

Thornton does not expressly call for: a DSP or packet engine

Thornton does not expressly call for: interface device, digital signal processor, or network processor or receiving pulse code modulated voice data

Thornton teaches: Receiving the telephone number and translates the telephone number into an appropriate IP address as well as an inherent IP socket is opened or channel and the packet is sent to the network or function of the interface device. Receiving G.711 data which is voice and then generates packets which corresponds to the data packets or the function of the digital signal processor. Receiving the appropriate IP address and adding the address to the data packets and then directs the packets over the network per col.13 line 35-col. 14 line 67 or the function of the network processor.

It would have been obvious to one of ordinary skill in the art at the time of the invention the interface device function is performed because the reference teaches receiving the telephone

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number and translates the telephone number into an appropriate IP address as well as an inherent IP socket is opened or channel and the packet is sent to the network or function of the interface device

DSP function is performed because the reference teaches compressing and converting packets and that the network processor function is performed because the reference teaches that packets are directed to the network based upon network addressing information.

Thornton does not expressly call for: receiving pulse code modulated voice data but teaches receiving G.711 data.

Irie teaches: G.711 data is Pulse Code Modulated per col. 6 lines 64-67

It would have been obvious to add the pulse code modulated signal to the method of Thornton because in order to be standards compliant with G.711 the voice is pulse code modulated.

In Addition Thornton teaches:

Regarding claim 24, 278 per Fig 2 or network interface regulates the flow.

4. Claims 10, 21, 23, & 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thornton (U.S. Patent No.: 6,363,065) in view of Beser (U.S. Patent No.: 6,523,068)

Referring to claim 10, Thornton teaches: the apparatus of claim 1 and the digital signal processor Thornton does not expressly call for: encryption

Beser teaches: encryption per col. 1 line 57-col. 2 line 4.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add encrypt the packets of Beser to the apparatus of Thornton in order to improve the security.

Referring to claim 21, Thornton teaches: the method of claim 12 and the digital signal processor Thornton does not expressly call for: encryption

Beser teaches: encryption per col. 1 line 57-col. 2 line 4.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add encrypt the packets of Beser to the method of Thornton in order to improve the security.

Referring to claim 23, Thornton teaches: the apparatus of claim 22 (Independent) and the digital signal processor

Thornton does not expressly call for: encryption

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Beser teaches: encryption per col. 1 line 57-col. 2 line 4.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add encrypt the packets of Beser to the apparatus of Thornton in order to improve the security.

Referring to claim 26, Thornton teaches: the apparatus of claim 25 and the digital signal processor

Thornton does not expressly call for: encryption

Beser teaches: encryption per col. 1 line 57-col. 2 line 4.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add encrypt the packets of Beser to the apparatus of Thornton in order to improve the security.

### ***Claim Objections***

5. Claims 22-24 are objected to because of the following informalities: There are two claim

22s. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 101***

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 28-30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Referring to claims 28-30, an article has been claimed. It is not clear whether an article is embodied in a computer. The examiner suggests changing article to processor.

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Wilson whose telephone number is 571/272-3075.

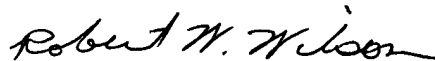
The examiner can normally be reached on M-F (8:00-4:30).



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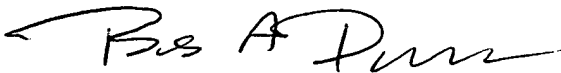
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on 571/272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Robert W Wilson  
Examiner  
Art Unit 2661

RWW  
9/28/05



**BOB PHUNKULH**  
**PRIMARY EXAMINER**